

MAN AND WIFE ARE FOUND DEAD

John D. O'Brien's Body Was
Across the Bed, While That of
the Woman Was Stretched
Half Over Him.

VICTIMS OF POVERTY, CAUSED BY BIG STRIKE.

There Are Indications that He
Committed Suicide and that
the Shock Resulted in the
Wife's Death.

Drawn by the odor that came from
the rear flat on the top floor of the
tenement No. 210 Second avenue to-
day, Mary Buttner, who lives in the
front flat on the same floor, attempted
to enter the apartment of John D.
O'Brien and his wife. As she could not
force an entrance she called the neigh-
bors and a policeman.

Crawling up on the fire-escape, the
policeman saw the body of O'Brien,
who was sixty years old, lying across
his bed, the head hanging over the side.
Half over him, with hands clasped as
if in prayer, was the body of his wife,
Mary, fifty-five years old.

The O'Briens were last seen on Mon-
day. Mrs. Buttner, who was a friend,
then talked with the man as he was
going out to pawn his last valuable pos-
session, a small piece of furniture.
Everything else had gone before that,
and the O'Briens were then suffering
the pangs of hunger and all the miseries
that come from a long period of pov-
erty. O'Brien returned to the house
from the time he looked and barred his
door the neighbors heard or saw nothing
of the couple until to-day.

When the police entered the apart-
ment to-day they were met by such an
odor that they could not remain in the
rooms long enough to discover the cause
of death.

Under O'Brien's head was a basin
which contained blood, but there were
no evidences on the body of a gash or a
cut. On the pillow cases were brown
stains, which the police believe
came from acid. They think the man
swallowed some poison, producing a
hemorrhage, and the woman, who was
known to suffer from heart disease,
woke up to find him dying. The shock
is given as the cause of her death. No
bottle that had contained poison or any
other evidence of suicide has been dis-
covered.

O'Brien is one more victim of the
building troubles. He was plasterer
by trade and for many months had been
unable to secure employment. Then
began the trips to the pawnshops, until
everything of value had been disposed of.
There was not a trace of any food to
be found in the apartment and both man
and woman had been in a weakened
condition for lack of proper nourish-
ment some time before the end had
come. Squalor, filth and poverty were
noticeable on every side.

Mrs. O'Brien's daughter, the wife of
the O'Briens, has been sent by the police.
An order was issued from the Coroner's
office this afternoon directing the
police of the East One Hundred and
Fourth street station to take the bodies
of O'Brien and his wife to the Harlem
Morgue.

DOCTORS TESTIFY FOR MRS. JOHNSON

Permanently Injured, They Say,
by Walter Baker's Auto, Which
Ran Into Crowd at South
Shore Boulevard.

The trial of the suit of Louise John-
son, of Rossville, S. I., against the City
of New York, the Automobile Club of
America and others, for \$20,000 damages
for injuries received in an automobile
accident on the South Shore Boulevard
on May 31, 1902, was resumed before
Judge Dickey in the Supreme Court at
Richmond, S. I., to-day.

It was while trials were being made
on the South Shore Boulevard that the
accident occurred. Walter Baker's
"freak" machine ran into a crowd of
spectators, instantly killing one person
and injuring others, three of whom sub-
sequently died.

Dr. John T. Sprague, Assistant Sanitary
Superintendent of the Richmond
Board of Health, who testified yesterday
about having cared for those in-
jured in the accident, said the plain-
tiff had sustained an injury to her right
leg, which was broken below and above
the knee.

Dr. A. M. Egan, of Rossville, said he
was unable to put her right leg out
straight without suffering intense pain,
and that the injury to her knee was
permanent.

Sergeant Joseph Cobb, of the Eight-
teenth Precinct, said that he re-
collected a few days before the races that
auto contests were to be held on the
Boulevard, and that he had the place
guarded on the west side from the
Boulevard Hotel to the finishing line.

Former Congressman Covert, repre-
senting the City of New York, moved
to have stricken out all the testimony
of the officer as to what the police did
or said that might in any way show
responsibility on the part of the city.
The motion was denied.

Inspector Nicholas Brooks, who was in
charge of the police at Richmond
Junction, on May 23 went over the
course with A. R. Chatterick, President
of the Automobile Club of America, and
found that 100 men would be needed to
guard it.

Counsel for plaintiff showed a set of
resolutions passed by the Board of Al-
dermen giving the Automobile Club au-
thority to hold the races. The Inspector
said he had received a set of the resolu-
tions.

Mr. Covert objected to the admission
of the resolutions as evidence. He
stated that the Board of Aldermen had
adopted them, it had exceeded the authority
conferred upon it by the charter of the
Greater City in doing so.
Judge Dickey admitted the resolutions
as evidence.

COURT ORDERS PARKS'S LAWYER INTO HIS SEAT

Judge Newburger Refuses to Listen to James
W. Osborne's Fierce Attack Upon
District-Attorney Jerome.

Ex-Assistant District-Attorney James
W. Osborne, the new counsel for Sam
Parks, and Judge Newburger had a dis-
agreement in Part III. of General Ses-
sions to-day which resulted in Judge
Newburger abruptly stopping Mr. Os-
borne from continuing a speech arraign-
ing the District-Attorney and his methods
in the walking delegates' cases.

For half an hour before Osborne had,
in opposition to a motion for the selec-
tion of a special jury to try Parks on
his second indictment for extortion,
made a scathing arraignment of the
District-Attorney's methods for what he
termed the unfair treatment of Parks.
Associated with Osborne in the defense
of Parks are Bartow S. Weeks and
George Gordon Battle.

The three lawyers were in court to-
day, determined, if possible, to prevent
the second trial of Parks from proceed-
ing until the Appellate Court had decided
on the legality of his first conviction.

Osborne Was Angry.
In opposing Assistant District-Attorney
Rand's motion, Osborne read from the
prosecution's affidavit in the moving
papers.

"Strikes of men employed in the sev-
eral building trades have been in pro-
gress for several months," said Mr. Os-
borne, "as a consequence of which many
thousands of men have been out of
employment and many great building
enterprises, both public and private,
have been suspended causing a loss of
many hundreds of thousands of dollars
to owners and builders and to wage
earners. The District-Attorney admits
in his affidavit that he is not trying Sam
Parks as an individual, but as a repre-
sentative of labor. That is a stern, real
fact, and there is no going behind it. It
is oppression, contrary to the Constitu-
tion of the United States."

Osborne was hurt and angry. He spoke
loudly and there was no difficulty in
hearing him outside the court-room
doors.

Judge Newburger ruled that this was

extraneous to the motion, but Mr. Os-
borne persisted.

"Why did the District-Attorney put
such matters in his affidavits? The Judge
inquired of Mr. Rand. The latter didn't
have a chance to reply.
"Because he's honest," Osborne
shouted. "He wants the public to know
his real motive. I admire his honesty.
Why try Sam Parks before a special
jury? This case should be tried before
an ordinary jury. There's not a laborer
or a mechanic on the panel of special
jurors, and you as well as the District-
Attorney and I know that fact well."

Court Rebukes Lawyer.
Judge Newburger stopped Osborne ab-
ruptly.

"Stop, Mr. Osborne," he said quietly.
But Osborne wouldn't be stopped.
"It's a jury made up of merchants and
employers of labor," he cried, "who
are hostile to the prisoner. There
wasn't a laborer or a mechanic on the
jury that tried Sam Parks. There was
a deliberate effort to prevent a fair
trial."

Judge Newburger's usually placid fea-
tures flushed.

"You can't make me keep silent," the
former prosecutor replied.
Judge Newburger struck his gavel re-
peatedly. Osborne tried to talk again.

"Sit down!" commanded the Judge.
Osborne partly sank into a chair, but
was on his feet again in a second.
"Sit down!" repeated the Judge, de-
terminedly.

Osborne sat down. Judge Newburger
began to lecture Osborne.

"Don't lecture me," he interrupted. "I
will not allow it."
"Silence! Sit down!" exclaimed the
Judge. "You are to take this case, and
I want you to take it properly. It would
be improper for me to allow you to pro-
ceed. I shall grant the District-Attor-
ney's request."

"Without hearing me!" exclaimed Os-
borne.

"I have heard sufficient from you, Mr.
Osborne. The motion is decided."
"With all due respect to you," Osborne
retorted, "this proceeding is exactly like
every other proceeding taken in the
Parks case. Let it be!"

"Sit down!" Judge Newburger ordered
in a tone of censure, and Osborne sub-
sided.

RUSSIA PREPARES FOR SHIP ATTACK

Czar's Squadron Returns to
Port Arthur and Entrance to
Harbor Is Protected by Log
Boom.

YOKOHAMA, Oct. 15.—The Russian
squadron has returned to Port Arthur.
Correspondents there report that prepa-
ration have been made against an ap-
prehended attack on the ninety-three
war vessels in port. The entrance is
protected by a boom of heavy logs.

The negotiations at Tokyo, though
critical, are proceeding peacefully.
America and Europe are cautioned by
the officials against alarmist reports.

CHEFOO, China, Oct. 15.—The Russian
administrator at Newchwang, Manchuria
proposes to organize a municipal
council, with two British and one Amer-
ican members. Their decisions will be
subject to the administrator's approval.

A closer investigation of the number
of troops reviewed by Viceroy Alexieff
at Port Arthur seems to indicate that
the official total, 76,000, would have been
correct if all the corps engaged con-
tained their full complement. It ap-
pears, however, that most of the reg-
iments had only about two-thirds of their
nominal strength, so that the number
reviewed was about 45,000 men. The to-
tal of the Russian army about Port Ar-
thur is 76,000 men.

GIRL WIFE FAINTS IN A COURT ROOM

Pleaded Not to Be Separated
from Husband Arrested for
Abduction, but Cannot Live
with Him for Two Years.

When told by Magistrate Crane in the
Harlem Police Court to-day that she
would have to be separated from her
young husband for two years, pretty
Mary Murtha, sixteen years old, of
No. 416 East 119 street, fainted in the
arms of one of the court officers.

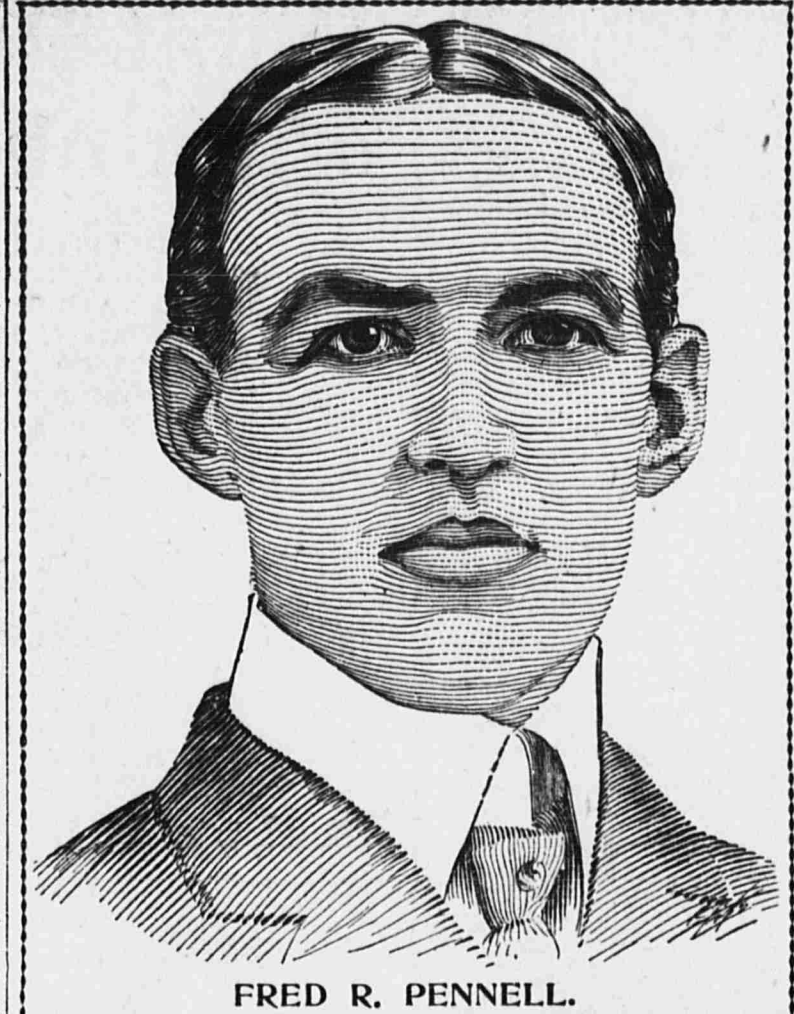
Thomas Murtha, twenty-three years
old, of No. 334 East One Hundred and
Twenty-sixth street, the husband, was ar-
rested on a warrant sworn out by Mrs.
Annie Hoepfner, his wife's mother, who
charged him with abduction.

"Did you marry this man willingly,"
asked Magistrate Crane of the girl.
"Yes, I did," she answered, "and I
want to go with him. My mother ill-
treated me, and he has been a good
husband since we were married. I love
him, Judge; do not separate us."

Magistrate Crane said he could do
nothing, as the mother was insistent,
and he told the girl she would have to
stay away from her husband until she
was eighteen years old.

Lawyer Baker, who represented Mur-
tha, said that the whole trouble was
that Mrs. Hoepfner was German, while
Murtha was Irish. The mother of the
girl turned her back on her daughter
when she fainted, and waited outside
to court until the girl recovered. Mur-
tha was discharged.

CATARRH THE CAUSE OF MOST KIDNEY DISEASES.



FRED R. PENNELL.

A Prominent Pianist Went to Hot Springs for Kidney Trouble,
but Pe-ru-na Cured Him.

Fred R. Pennell, Pianist, Grand Opera House, Hot Springs, Ark., writes:
"Two years ago I came to Hot Springs to take the baths
and be treated for bladder and kidney trouble. After spend-
ing two months here under the care of one of the most prom-
inent physicians and receiving little or no benefit, I was per-
suaded to try Peruna. I had little faith in it, but after using
one bottle I noticed a marked improvement. Three bottles
entirely cured me. I can cheerfully recommend Peruna to
any one afflicted as I was."—Fred R. Pennell.

Catarrh of the Kidneys a Common
Disease—Kidney Trouble Often
Falls to Be Regarded as Catarrh
by Physicians.

Catarrh of the kidneys is very common
indeed. It is a pity this fact is not better
known to the physicians as well as the
people.

People have kidney disease. They take
some diuretic hoping to get better. They
never once think of catarrh. Kidney dis-
ease and catarrh are seldom associated in
the minds of the people, and alas, it is not
very often associated in the minds of the
physicians. Too few physicians recognize
catarrh of the kidneys. They doctor for
something else. They try this remedy and
that remedy. The trouble may be catarrh
all the time. A few bottles of Peruna would
cure them.

Peruna Removes the Cause of the
Kidney Trouble.

Peruna strikes at the very centre of the
difficulty, by eradicating the catarrh from
the kidneys. Catarrh is the cause of kid-
ney difficulty. Remove the cause and you
remove the effect. With unerring accuracy
Peruna goes right to the spot. The kidneys
are soon doing their work with perfect
regularity.

Thousands of testimonials from people
who have had kidney disease which had

gone beyond the control of the physician
are received by Dr. Hartman every year,
giving Peruna the whole praise for mar-
vellous cures.

Peruna cures kidney disease. The reason
it cures kidney disease is because it cures
catarrh. Catarrh of the kidneys is the
cause of most kidney disease. Peruna cures
catarrh wherever it happens to be located.
It rarely fails.

President Louisiana Commercial
Club.

Hon. William Watson Washburn, Presi-
dent of the Louisiana Commercial Club and
a very well known man of New Orleans,
La., writes from 637 Canal street:
"I am satisfied that there is not a finer
medicine placed before the public to-day
than Peruna. I have been troubled for
nearly twelve years with kidney and liver
trouble, and at times I have been a pretty
sick man, unable to attend to my duties."

"I had about made up my mind that no
medicine could help me when one of your
booklets was brought to my office, which I
gave Peruna a trial, and found that I had
at last secured the right medicine for me.
For two months I used it faithfully, and
then felt so well that I was like a young
man once more. This was over a year ago,
and I have not had any trouble since."

"Although I am in the seventies, I feel
better and more active than I did thirty
years ago."—W. W. Washburn.

If you do not derive prompt and satisfac-
tory results from the use of Peruna, write
at once to Dr. Hartman, giving a full state-
ment of your case, and he will be pleased
to give you his valuable advice gratis.

Address Dr. Hartman, President of the
Hartman Sanitarium, Columbus, O.

**The Oppenheimer
Institute**
Treats ALCOHOL and
DRUG DISEASES only
131-133 West 45th St. New York

Dac-T-Ra Eyeglass Clip,
50c. Does not slip, pinch or leave
marks. Sold only by Dr. Vest 123th
St., near Lenox av., 312 Madison
av., 41st & 42d avs., 2800 3d av.,
150th & 151st sts. DACTERA BROOK, op-
tician, sole patentee. Pres. filled.

PILE OIL Never known to fail in any
case. Price 50c. All drug-
stores. W. J. Quencer,
100 W. 54th St., N. Y.

Vogel Brothers 42nd Str. Cor. 8th Ave.



Sale of Boys' and Girls' Clothes.

To go any and everywhere
for children's clothes means
to get any and every sort of
ordinary clothing. Why not
come to Vogel Brothers,
where there is but one stand-
ard—the best? Where there
is as much attention paid to
the little things as to the style
of the garments themselves.
No worry about buttons fall-
ing off, or seams ripping, or
pockets falling out; we've
guaranteed against these mis-
haps. And if you want style
and character in garments at
very low prices—that's been
our specialty for years.

**SPECIAL SALE OF BOYS'
DOUBLE-BREADED and
NORFOLK SUITS—**Sizes 7 to
15—made of Blue Cheviot and
fancy mixtures in light and dark
effects.

Worth \$4.
At \$2.95

**SPECIAL SALE OF BOYS'
RUSSIAN BLOUSE SUITS—**
same style as shown in picture
above—sizes 3 to 8—made of
serge, in blue, red and brown,
prettily trimmed with braid.

\$5 Suits,
At \$3.95

SALE OF BOYS' SAILOR SUITS—Sizes 3
to 10—of blue cheviot, prettily trimmed, in
red, white and black. These suits are worth
\$3. Our special price,

\$1.95

BOYS' 4 SERGE SAILOR SUITS—
In blue, brown and red; on special sale at

\$2.95

SALE OF BOYS' VEST SUITS—Sizes 10 to
15—single-breasted coats, perfect fitting, half
military back, made of blue and fancy
cheviots. Regular \$5.50 suits; on sale at

\$4.95

BOYS' TOP COATS—Sizes 4 to 14—of tan
covert, natty little overcoats that are made with
same correct style and care for detail as our
men's overcoats. Instead of \$5, our
special price is

\$3.50

SALE OF BOYS' KNEE PANTS—Sizes 4 to
15—made of corduroy, and strong blue and dark
mixed chevots. Every pair guaranteed to give
satisfaction. Knee pants worth 75c. to \$1
a pair. On special sale at

49c

Other Things at Special Sale Prices.

Children's Spring Heel Shoes, sizes 6 to 11;
special at 85c. a pair.

Little Boys' Spring Heel Shoes, sizes 9 to
13½; special at 98c. a pair.

Girls' and Boys' Spring Heel Shoes, sizes
11½ to 2; special at 98c. a pair.

Boys' Heeled Shoes, sizes 13 to 5; special at
\$1.25 a pair.

Boys' and Girls' Fast Back Stockings, 5 to
10; special at 10c. a pair.

Vogel Brothers
42nd Str. Cor. 8th Ave.

Store Open Saturday Evening.

Vogel Brothers
42nd Str. Cor. 8th Ave.

Eye Glasses For Headache

Often indeed no other remedy is
needed—no medicine will do. Such
headaches come from eye strain.
When corrected with proper glasses,
the headache and its cause alike dis-
appear. Oculist's examination with-
out charge.
Glasses only if needed, \$1 up.

Ehrlich
OPTICIANS—41 Years' Practice.

25 BROAD ST.—Arcade, Broad Ex. Bldg.
217 BROADWAY—Astor House Block.
223 SIXTH AVENUE—Near 15th St.
1845 BROADWAY—Near 36th St.
Stores Open Saturday Evenings.

Franklin Simon & Co.

Two Specials for Saturday
Waists

Of Imported Vestings and Mohair,
Sizes 32 to 42 Heretofore \$3.00 and \$4.00, 1.75

Women's Covert Jackets,
Heretofore \$15.00 and \$27.50, 7.50 & 12.50

These are balance of Spring Coats, and especially suitable
for Fall wear.

FIFTH AVE., 37th & 38th Sts.



Household Cares

A Sick Woman's Devotion to Duty is a Heroism which a Well Person Cannot Understand.

How distressing to see a woman struggling with her daily round of household duties, when her back and head are aching, and every
new movement brings out a new pain!

One day the poor woman is wretched and utterly miserable; in a day or two she is better and laughs at her fears, thinking
there is nothing much the matter after all; but before night the deadly backache reappears, the limbs tremble, the lips twitch
—it seems as though all the imps of Satan were clutching her vitals; she "goes to pieces" and is flat on her back.

No woman ought to arrive at this terrible state of misery, because these symptoms are a sure forerunner of womb troubles. She
must remember that Lydia E. Pinkham's Vegetable Compound is almost an infallible cure for all female ills, such as irregularity
of periods, which cause weak stomach, sick headache, etc., displacements and inflammation of the womb, or any of the multitudes
of illnesses which beset the female organism. Read how Mrs. Frake wrote to Mrs. Pinkham when she was in great trouble.
Her letter tells the result, and how a cure was effected by the use of

Lydia E. Pinkham's Vegetable Compound.

"I have read of your medicine making so many cures and have been
advised to write to you, but I feel that it is of no use. The doctor says
that I have womb trouble, but he does not seem to help me a great deal.
I have such a weakness across me most of the time—have backache, am
very nervous, and am troubled with leucorrhoea. I am very weak, cannot
walk any distance or stand long unless I ache all over. I would like to
know if you think your medicine would do me any good."—Mrs. SAMUEL
FRAKE, Prospect Plains, N.J.

"I cannot thank you enough for what Lydia E. Pinkham's Vegeta-
ble Compound has done for me. When I first wrote to you I had suffered
for years. The doctor said I had congestion of the womb, was troubled
with my kidneys and bladder, my back ached dreadfully all the time, and
I suffered with bearing-down feeling, could scarcely walk about to do my
own household work. I stopped doctoring with the physician and took your
medicine, and am now able to do my own work, have no more backache or
weakness across me, and can do all my own work. I cannot praise your
medicine enough, and would advise all suffering women to try it."—Mrs.
SAMUEL FRAKE, Prospect Plains, N.J.

\$5000 FORFEIT if we cannot forthwith produce the original
letters and signatures of above testimonials, which will
prove their absolute genuineness.
Lydia E. Pinkham Med. Co., Lynn, Mass.

The Medicine that has Restored
a Million Women to Health is
Lydia E. Pinkham's Vegetable Compound

